

Fish Resources Management Act 1994

WEST COAST ESTUARINE MANAGED FISHERY MANAGEMENT PLAN 2014

FD 688/13 [1018]

Made by the Minister under section 54.

PART 1 - PRELIMINARY

1. Citation

This plan may be cited as the *West Coast Estuarine Managed Fishery Management Plan 2014*.

2. Interpretation

(1) In this plan, unless the contrary intention appears -

Area 1 means all the waters of the Fishery described in Schedule 2 item (a);

Area 2 means all the waters of the Fishery described in Schedule 2 item (b);

Area 3 means all the waters of the Fishery described in Schedule 2 item (c);

authorised boat means -

- (a) a licensed fishing boat, the name, licensed fishing boat number and length of which are specified on a licence; or
- (b) a boat specified in a written authority under regulation 132 where that boat is to be used in place of a boat described in paragraph (a);

beam tide trawl net means a net attached to a boat that is anchored or moored;

calendar year means the period commencing 1 January in any year and ending 31 December in the same year;

crab pot unit means one crab pot;

crab means any fish of that common name as described in Schedule 7 to the regulations;

current entitlement means the total crab pot unit entitlement of a licence taking into account any transfers of crab pot units to or from the licence;

day means any 24 hour period commencing at midnight;

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This compilation incorporates amendments up to and including the *West Coast Estuarine Managed Fishery Management Plan Amendment (No.2) 2015* published in Government Gazette No. 154 on 16/10/2015.

Fishery means the West Coast Estuarine Managed Fishery declared in clause 4;

fishing unit means a licensed fishing boat or combination of licensed fishing boats, the licences for which are held by the same licence holder, and where each fishing boat licence specifies that the boat may be used to fish for a commercial purpose in specified waters;

hand prawn net means any net that -

- (a) is not more than 4 metres in length; and
- (b) has a mesh size of between 19 millimetres and 25.4 millimetres;

haul (verb) means to encircle or attempt to encircle fish with a net;

haul net means any non-set net other than a seine net, and which is used to encircle or attempt to encircle fish;

licence means a licence authorising a person to fish in the Fishery, including a permit;

measured length means the measured length of the authorised boat as defined by and determined in accordance with the National Standard for Commercial Vessels ('NSCV') Part B and Annex A to Part B of NSCV, as reworked or superseded from time to time;

mesh size means the size of the mesh of a net, measured in accordance with regulation 64D;

nominated operator means an operator specified on a licence;

permit means an interim managed fishery permit issued in accordance with the *West Coast Estuarine Fishery (Interim) Management Plan 2003*;

plan means the *West Coast Estuarine Managed Fishery Management Plan 2014*;

pull means to bring fish or gear from any part of the waters of the Fishery to the surface of those waters;

regulation means the *Fish Resources Management Regulations 1995*;

set net means a net which is fixed, anchored, staked, or secured, or is stationary in the water, below the high water mark, and which has a float line at or beneath the surface of the water;

statutory fishing return means a return made in accordance with regulation 64;

(2) In this plan, unless the contrary intention appears, the following terms have the same meanings as in regulation 3 -

fishing boat licence;

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licensed fishing boat number;

set.

3. Procedure before this plan may be amended or revoked

For the purposes of section 65 of the Act, all the licence holders are the persons to be consulted before this plan is amended or revoked.

PART 2 - THE FISHERY

4. Declaration

(1) The Fishery to which this plan relates is fishing by any means in the waters described in Schedule 1.

(2) The Fishery may be referred to as the West Coast Estuarine Managed Fishery.

5. Areas

The Fishery is divided into the Areas described in Schedule 2.

PART 3 - LICENCES

6. Criteria for the grant of a licence

The criteria to be satisfied before the CEO may grant a person a licence to fish in the Fishery are that -

- (a) on 30 June 2014 the person was the holder of a permit authorising commercial fishing in the West Coast Estuarine Fishery, or
- (b) on 30 June 2014 the person held an authorisation permitting fishing pursuant to clause 5 of the *Closed Waters Professional Netting (Rivers, Estuaries, Inlets and Lakes South of 23° Latitude) Notice 1992*; and
- (c) in the case of either paragraph (a) or (b) the person applies for a licence before 1 May 2014.

7. Duration of licences

A licence expires on 30 June next following the date of grant or renewal.

8. Fees

(1) For the purposes of regulation 137(2) the total fee may be paid by instalments as specified in Schedule 6 if -

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- (a) an election to pay by instalments is made by the holder of a licence in accordance with subclause (3); and
 - (b) there is no fee, charge, or levy in respect of the licence which has not been paid at the time the election is received at an office of the Department.
- (2) An election for the purposes of subclause (1) must be -
- (a) made in writing; and
 - (b) received at an office of the Department on or before the day on which the licence expires, and
 - (c) accompanied by the first instalment plus the surcharge.
- (3) For the purposes of regulation 137(3) the surcharge is 3.13% of the total fee.
- (4) The holder of a licence, or a person acting on that person's behalf, must not fish in the Fishery at any time when -
- (a) any fee; or
 - (b) any surcharge,
- in respect of the licence is outstanding.

9. Items that must be specified on a licence

A licence must specify -

- (a) the Area of the Fishery in which fishing is permitted under the authority of that licence; and
- (b) the name and business address of the holder of the licence; and
- (c) the name and business address of the nominated operator; and
- (d) the name, licensed fishing boat number and the measured length of any licensed fishing boat which may be used for or in connection with fishing in the Fishery under the authority of that licence; and
- (e) the licence number; and
- (f) where the licence authorises fishing in Area 2 of the Fishery, the number of crab pots that may be used; and
- (g) the period for which the licence is in force; and
- (h) the name of the Fishery; and
- (i) any conditions imposed on the licence by the CEO.

10. Nominated operator

- (1) Subject to subclause (2), a licence must specify the name of not more than one individual nominated by the holder of the licence to be the nominated operator.
- (2) Where no nominated operator has been nominated and the holder of the licence is an individual, the holder of the licence will be taken to be the nominated operator, and the name of that person must be specified on the licence as the nominated operator.

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- (3) A person must not fish in an Area of the Fishery under the authority of a licence unless that person is the nominated operator.
- (4) A person must not be specified as a nominated operator on more than one licence.
- (5) Notwithstanding subclause (3), the CEO may by notice in writing authorise a person who is not a nominated operator to engage in fishing under the authority of a licence.
- (6) The CEO may only issue a notice in writing under subclause (5) where the CEO is satisfied that -
- (a) it is in the better interests of the Fishery; and
 - (b) the nominated operator specified on the relevant licence is unable to fish in the Fishery due to proven ill health; or
 - (c) the nominated operator requires instruction in regard to fishing activity in the Fishery.
- (7) A notice in writing made under subclause (5) must specify -
- (a) the name of the person authorised to fish; and
 - (b) the licence under which the person authorised to fish may operate; and
 - (c) the period for which the person will be authorised to fish.
- (8) The CEO may amend or revoke a notice in writing made under subclause (5) by further notice in writing.
- (9) A notice in writing made under subclause (5) or amended under subclause (8) is not in effect unless -
- (a) the notice has been provided to the person specified in the notice; and
 - (b) a copy of the notice has been provided to a supervising Fisheries Officer at a relevant office of the Department.
- (10) A notice made under subclause (8) revoking a notice made under subclause (5) is not in effect unless -
- (a) the notice has been provided to the person specified in the notice; and
 - (b) a copy of the notice has been provided to a supervising Fisheries Officer at a relevant office of the Department.
- (11) In subclauses (9) and (10) “office of the Department” means -
- (a) where the licence specified in the relevant notice authorises fishing in Area 1 of the Fishery, the Fremantle office; or
 - (b) where the licence specified in the relevant notice authorises fishing in Area 2 of the Fishery, the Mandurah office; or
 - (c) where the licence specified in the relevant notice authorises fishing in Area 3 of the Fishery, the Busselton office.
- (12) A person specified in a notice in effect in accordance with this clause is subject to all provisions of this plan as would apply to a nominated operator.

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PART 4 - CAPACITY OF THE FISHERY

11. Capacity of Areas of the Fishery

- (1) The capacity of Area 1 of the Fishery in relation to -
 - (a) the length of haul net that may be used, is 4 000 metres;
 - (b) the length of set net that may be used, is 6 000 metres.
- (2) The capacity of Area 2 of the Fishery in relation to -
 - (a) the length of haul net that may be used, is 12 000 metres;
 - (b) the length of set net that may be used, is 12 000 metres;
 - (c) the length of beam tide prawn net that may be used, is 96 metres;
 - (d) crab pot units, is 420.
- (3) The capacity of Area 3 of the Fishery in relation to -
 - (a) the length of haul net that may be used, or
 - (b) the length of set net that may be used,is 1 000 metres.

12. Current entitlement - crab pots

- (1) Where a licence is granted in accordance with clause 6 and the permit referred to in clause 6 is subject to a licence condition specifying that the holder of that permit is authorised to use 42 crab pots in the waters described as Area 2 of the Fishery, the licence shall, at the time it is granted, confer an entitlement of not more than 42 crab pot units.
- (2) The entitlement to use crab pots in Area 2 of the Fishery shall be expressed in terms of crab pot units of entitlement.

13. Transfer of crab pot units of entitlement

- (1) Subject to subclause (2), a crab pot entitlement may be transferred to another licence where the current entitlement of the licence would, as a result of the transfer, not exceed 50 units.
- (2) The authority conferred by temporarily transferred units of entitlement expires at the time the licence expires.
- (3) The authority of a licence is of no effect where the current entitlement conferred by the licence is zero units.

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14. Grounds for refusal to transfer crab pot entitlement or licence

- (1) The CEO may refuse to transfer a part of a crab pot entitlement from one licence to another licence on the grounds that -
- (a) the transfer would result in a licence conferring a current entitlement of more than 50 crab pot units; or
 - (b) the CEO is of the opinion that the transferor may be liable to prosecution for an offence prescribed for the purposes of section 224 of the Act.
- (2) The CEO may refuse to transfer a licence or any part of a current crab pot entitlement where the total fee in respect of the transferor's licence has not been paid.

PART 5 - GENERAL REGULATION OF FISHING

15. Prohibitions on fishing in the Fishery

- (1) Subject to subclause (3), a person must not fish in the Fishery other than -
- (a) in accordance with this plan; and
 - (b) under the authority of a licence.
- (2) A licence may only authorise fishing in one Area of the Fishery.
- (3) Subclause (1) does not apply with respect to a person fishing for a non-commercial purpose in accordance with the Act, in the waters described in Schedule 1.

16. Prohibition on selling, purchasing or dealing in fish

A person must not -

- (a) sell, purchase, or deal in, or attempt to sell, purchase, or deal in, any fish taken from the Fishery in contravention of this plan; or
- (b) sell, purchase, or deal in, or attempt to sell, purchase, or deal in, any fish taken from the Fishery, unless the fish were taken -
 - (i) by a person who holds a commercial fishing licence; and
 - (ii) under the authority of a licence issued in accordance with this plan.

17. Closure of areas within the Fishery

- (1) Notwithstanding clauses 18, 19 and 21 the CEO may, by notice published in the Gazette, prohibit fishing by any means in any part of the Fishery for the period specified in the notice if, in the opinion of the CEO, the prohibition is required in the better interests of the Fishery.
- (2) A notice made in accordance with subclause (1) -
- (a) may only be made after consultation with all the licence holders; and
 - (b) may apply at all times or for a specified period; and

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(c) revokes any previous notice made under subclause (1).

(3) A person must not fish in any part of the Fishery at a time when fishing in that part of the Fishery has been prohibited by a notice made under subclause (1).

(4) A person must not fish at any time in the waters described in Schedule 3.

PART 6 - PROHIBITIONS IN REGARD TO GEAR AND USE OF BOATS

18. Gear restrictions - Area 1

(1) A person must not fish in Area 1 of the Fishery by any means other than by -

- (a) set net; or
- (b) haul net; or
- (c) hand prawn net; or
- (d) hand line.

(2) A person must not -

- (a) set; or
- (b) pull; or
- (c) haul,

a hand prawn net from a boat in Area 1 of the Fishery.

(3) A person fishing in Area 1 of the Fishery -

- (a) must not fish by the use of more than two hand lines; and
- (b) must not fish by the use of more than 3 baits attached to a hand line; and
- (c) must attend the hand line or attach it to the boat at all times.

(4) A person must not -

- (a) set a net with mesh size less than 63 millimetres or greater than 127 millimetres; or
- (b) pull a set net with mesh size less than 63 millimetres or greater than 127 millimetres; or
- (c) allow a set net with mesh size less than 63 millimetres or greater than 127 millimetres to remain,

in the waters of Area 1 of the Fishery, during the period commencing 8.00 a.m. on any Saturday and ending at 6.00 p.m. on the following Sunday if any part of that net is wholly or partially in contact with the seabed.

(5) A person must not -

- (a) set a net with a mesh size less than 63 millimetres or greater than 127 millimetres; or
- (b) pull a set net with a mesh size less than 63 millimetres or greater than 127 millimetres; or
- (c) allow a set net with a mesh size less than 63 millimetres or greater than 127 millimetres to remain,

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in the waters of Area 1 of the Fishery, during the period commencing 8.00 a.m. on any weekday and ending at 6.00 p.m. on the same day unless all of the net is below the surface of the water.

(6) A person must not pull more than 500 metres of set net with a mesh size greater than 127 millimetres from the waters in Area 1 of the Fishery during any day under the authority of the relevant licence.

(7) A person must not fish by the use of more than a total of -
(a) 500 metres of haul net; or
(b) 500 metres of set net with mesh size less than 63 millimetres or greater than 127 millimetres; or
(c) 1 000 metres of set net with mesh size greater than 127 millimetres,
in Area 1 of the Fishery under the authority of a licence at any one time.

(8) A person must not fish in the waters described in the relevant restricted fishing area specified in Schedule 4 by the use of -
(a) a set net at any time; or
(b) a haul net during the period commencing 8.00 a.m. and ending midnight on the same day during the period commencing 8.00 a.m. on any Monday and ending midnight on the following Friday.

19. Gear restrictions - Area 2

(1) Subject to clause 21(1), a person must not fish in Area 2 of the Fishery by any means other than -
(a) set net; or
(b) haul net; or
(c) beam tide prawn net; or
(d) hand dip net; or
(e) crab pot.

(2) A person must not -
(a) set; or
(b) pull; or
(c) haul,
more than 1 000 metres (total combined length) of set nets and haul nets in Area 2 of the Fishery at any one time.

(3) A person must not use a set net or haul net in Area 2 of the Fishery unless -
(a) the net conforms with the relevant specifications in Schedule 5; and
(b) the person conforms with any prescribed method of using a net as specified in Schedule 5.

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(4) A person must not fish by the use of a beam tide prawn net in Area 2 of the Fishery unless that net conforms with the relevant specifications in Schedule 5.

(5) A person must not fish by the use of a hand dip net unless that net -
(a) has a diameter not greater than 120 centimetres; and
(b) has a mesh size of not less than 16 millimetres.

(6) A person must not fish in Area 2 of the Fishery by means of a set net or haul net during the period commencing 8.00 a.m. on any Saturday and ending at 5.00 a.m. on the following Monday.

(7) A person must not fish for crabs in Area 2 of the Fishery unless the crab pots conform with the relevant specifications in Schedule 5.

20. Gear restrictions - Area 3

(1) Subject to subclause (2) a person must not fish in Area 3 except by the means specified in Schedule 5.

(2) A person must not fish in the waters described in the relevant restricted fishing area specified in Schedule 4 other than by the use of a beach seine net.

21. Gear restrictions - fishing by means of crab pots

(1) A person must not fish for crabs in Area 2 by means of a crab pot unless the relevant licence authorises the use of crab pots in Area 2.

(2) A person must not fish for crabs in Area 2 by any means other than by crab pot.

(3) A person must not at any time during the period 1 September to 31 October in any year -
(a) set or pull a crab pot; or
(b) allow a crab pot to remain,
in Area 2.

(4) A person must not fish with a number of crab pots in excess of the current entitlement specified on the relevant licence.

(5) A person must not carry on board a boat a number of crab pots that is more than two crab pots in excess of the current entitlement specified on the relevant licence.

(6) A person must not use or carry on board a boat a crab pot that does not conform with the specifications set out in Schedule 5.

(7) A person must not pull a crab pot in Area 2 unless that person set that crab pot.

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- (8) A person must not -
- (a) set a crab pot; or
 - (b) allow a crab pot to remain,
- in Area 2 -
- (i) during the period commencing 1 November and ending on 31 March in the following year, at any time between 9.00 a.m. on any Saturday and 3.30 a.m. on the following Monday; or
 - (ii) during the period commencing 1 April and ending on 31 August in any calendar year, at any time between 10.00 a.m. on any Saturday and 3.30 a.m. on the following Monday.
- (9) A person must not pull a crab pot in Area 2 -
- (a) during the period commencing 1 November and ending on 31 March in the following year, at any time before 3.30 a.m. or after 9.00 a.m.; or
 - (b) during the period commencing 1 April and ending on 31 August in any calendar year, at any time before 3.30 a.m. or after 10.00 a.m..
- (10) A person must not fish for crabs in Area 2 by means of a crab pot unless that crab pot has attached to it a surface float which -
- (a) has a diameter of not less than 150 millimetres; and
 - (b) is marked with legible characters not less than 60 millimetres high and not less than 10 millimetres wide, and which displays the licensed fishing boat number of the boat that is used to set or pull the pot.
- (11) Notwithstanding subclause (10), a person may set a maximum of 10 crab pots attached to each other by negatively buoyant rope, provided that at least one crab pot is attached to a surface float as described in subclause (10).

22. Use of boats

- (1) A person must not use a boat in the Fishery unless the boat is an authorised boat.
- (2) A person must not use a boat in the Fishery if that boat is greater than 6.5 metres in measured length.
- (3) The maximum number of boats that may be specified on a licence is 3.
- (4) The holder of a licence must not allow more than one boat specified on that licence to be used in the Fishery at any one time.

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PART 7 - MISCELLANEOUS

23. Offences

A person who contravenes a provision of clause 8, 10, 15, 16, 17, 18, 19, 20, 21, or 22 commits an offence.

SCHEDULE 1

Description of the Fishery

[clause 4]

The waters of all estuaries on the west coast of Western Australia between latitudes 27°00.00'S in the north and 34° 22.715'S in the south and all the affluents, rivers, streams and tributaries that flow into those estuaries.

SCHEDULE 2

Areas of the Fishery

[clause 5]

(a) Area 1

The waters known as the Swan and Canning Rivers upstream from a line drawn from the westernmost point of the southern mole at Fremantle to the western most point of the north mole at Fremantle and all their tributaries and affluents;

(b) Area 2

The waters of the Peel Inlet and Harvey Estuary, together with the Murray, Serpentine, Harvey and Dandalup Rivers and all their tributaries and affluents upstream of the mouth of the groynes and channel entrances to the Indian Ocean.

(c) Area 3

The waters of the Hardy Inlet together with the Blackwood River and all its tributaries and affluents upstream of the mouth of the Hardy Inlet, and all the waters of Flinders Bay bounded by a line commencing on the land at the intersection of 34° 18.864' south latitude and 115° 11.685' east longitude; thence generally south easterly along the geodesic to the intersection of 34° 19.013' south latitude and 115° 11.752' east longitude; thence generally south westerly along the geodesic to the intersection of 34° 19.569' south latitude and 115° 10.464' east longitude; thence generally southerly along the geodesic to the intersection of 34° 20.686' south latitude and 115° 10.347' east longitude; thence generally southerly along the geodesic to the intersection of 34° 21.672' south latitude and 115° 10.142' east longitude; thence generally south westerly along the geodesic to the intersection of 34° 22.298' south latitude and 115° 9.549' east longitude; thence generally westerly along the geodesic to the intersection of 34° 22.298' south latitude and 115° 8.403' east longitude; thence generally southerly along the geodesic to the intersection of 34° 22.693' south

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latitude and 115° 8.403' east longitude; thence generally westerly along the geodesic to the intersection of 34° 22.715' south latitude and 115° 8.091' east longitude; thence generally northerly along the geodesic to a point on the land at the intersection of 34° 22.523' south latitude and 115° 8.091' east longitude.

SCHEDULE 3 Closed areas of the Fishery

[clause 17]

Area 1 closures

Closed area A

The waters of the Swan River and its affluents and tributaries upstream from a line drawn from a point on the Perth foreshore, being the intersection of the high water mark and the prolongation southwesterly of the midline of Plain Street passing through a point situated 100 metres west of the western extremity of Heirisson Island to the high water mark on the opposite river foreshore.

Closed area B

The waters of the Swan River and its affluents and tributaries from a line drawn from the southwestern extremity of Point Resolution to the southwestern extremity of the Point Walter Jetty downstream to a line drawn from the western extremity of the South Mole to the western extremity of the North Mole at Fremantle.

Closed area C

All that portion of the Swan River, except for those waters described in Schedule 4, bounded by lines starting from the southeastern corner of Harper Square and extending west northwesterly and northeasterly along the boundaries of the square to the high water mark on the river foreshore; thence generally westerly and southwesterly along that high water mark to the eastern side of the Narrows Bridge; thence southerly along that side to the high water mark on the South Perth foreshore; thence southeasterly upstream along the high water mark to a point being the intersection of the high water mark and the prolongation of the northwestern side of Darley Street and thence northerly in a straight line to the starting point.

Closed area D

The waters of the Swan River within 100 metres of the Mends Street, Coode Street, Como, Applecross, Point Walter and Nedlands jetties.

Closed area E

The waters of the Canning River and its affluents and tributaries upstream to its source from a line drawn from the northern extremity of Second Avenue, Rossmoyne across the river to the southern extremity of Sulman Avenue.

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Closed area F

All that portion of the Canning River within 100 metres of the Canning Bridge.

Area 2 closures**Closed area A - Channel Entrance**

The waters of the Channel Entrance to Peel Inlet (Mandurah) including all constructed waterways connected to the channel bounded on the south by lines drawn in an easterly direction from the foreshore at the intersection of 32° 33.934' south latitude 115° 41.791' east longitude; thence in an easterly direction to the starboard hand navigation beacon on the northern tip of Boundary Island (32° 33.934' south latitude and 115° 42.71' east longitude); thence to the southern extremity of Creery Island (32° 34.055' south latitude 115° 43.534' east longitude) and thence following the high water mark on the southern extent of Creery Island (32° 33.809' south latitude and 115° 44.373' east longitude) to the Coodanup foreshore (32° 33.79' south latitude 115° 44.635' east longitude) and including the waters of the Indian Ocean lying within a radius of 800 metres of the northern most extremity of the mole (32° 31.235' south latitude and 115° 42.624' east longitude) situated on the west side of the Channel entrance to Peel Inlet.

Closed area B - Serpentine River

The waters of the Serpentine River and its tributaries and the waters of the Peel Inlet upstream of a line commencing at the intersection of the southerly prolongation of the midline of William Road, Coodanup and the high water mark (32° 34.002' south latitude and 115° 45.494' east longitude) drawn southerly to Navigation Beacon No 203 (32°34.549' south latitude and 115° 45.321' east longitude); thence southerly to Navigation Beacon No 119 (32° 35.515' south latitude 115° 45.444' east longitude); thence easterly to Navigation Beacon No 129 (32° 35.665' south latitude and 115° 45.917' east longitude); thence due east to the high water mark on the eastern shore of Peel Inlet (32° 35.665' south latitude and 115° 46.627' east longitude).

Closed area C - Harvey River

The waters of the Harvey River and that portion of the Harvey Estuary south of a line, commencing at the northern most extent of the Harvey River mouth (32° 46.363' south latitude and 115° 42.802' east longitude); thence west to the mainland at the intersection of 32° 46.364' south latitude and 115° 41.809' east longitude; thence east to the mainland (32° 46.364' south latitude and 115° 43.561' east longitude).

Closed area D - Yunderup Canals

All that portion of Western Australia waters known as the Yunderup canals.

Closed area E - Murray River

The Murray River and all its tributaries and branches including all constructed waterways.

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Closed area F - Dawesville Channel

All that portion of the Peel/Harvey Estuary, Indian Ocean and connecting channel including constructed waterways as contained within an arc of a radius of 800 metres from the navigation beacon on the western most breakwater at the intersection $32^{\circ} 35.975'$ south latitude and $115^{\circ} 37.682'$ east longitude and within an arc having a 250 metre radius centred between and passing through the two navigation beacons on the eastern breakwater at the intersection of $32^{\circ} 36.728'$ south latitude and $115^{\circ} 38.894'$ east latitude.

Area 3 closures

Closed area A - Blackwood River

All waters of the Blackwood River and all its tributaries upstream from a line drawn across the river along the northern prolongation of the eastern boundary of Sussex Location 133.

Closed area B - Hardy Inlet

All waters of Hardy Inlet including Swan Lakes and the Deadwater downstream from a line drawn southwesterly from the high water mark on the western most point of Point Irwin on the eastern side of the inlet to the high water mark at the Irwin Street boat ramp on the western side of the inlet.

SCHEDULE 4 Restricted fishing areas

[clause 18]

Restricted fishing area 1 - Swan River

The waters of the Swan River bounded by a line commencing from a point being the intersection of the high water mark and the prolongation east-northeasterly of a line drawn along the northern most side of a street known as the South Perth Esplanade; thence generally northeasterly to the first starboard hand beacon located east of the Narrows Bridge; thence generally south easterly to the fourth navigational pile counted from the Mends Street Jetty located along the western side of the Mends Street/Barrack Street Ferry Channel; thence southwesterly to a point on the foreshore being the intersection of the high water mark and the prolongation northeasterly of a line drawn along the western side of Mends Street; thence generally northerly along the high water mark to the starting point.

Restricted fishing area 2 - Flinders Bay

All the waters of Flinders Bay bounded by a line commencing on the land at the intersection of $34^{\circ} 18.864'$ south latitude and $115^{\circ} 11.685'$ east longitude; thence generally south easterly along the geodesic to the intersection of $34^{\circ} 19.013'$ south latitude and $115^{\circ} 11.752'$ east longitude; thence generally south westerly along the geodesic to the intersection of $34^{\circ} 19.569'$ south latitude and $115^{\circ} 10.464'$ east longitude; thence generally southerly along the geodesic to the intersection of $34^{\circ} 20.686'$ south latitude and $115^{\circ} 10.347'$ east longitude; thence generally southerly along the geodesic to the intersection of $34^{\circ} 21.672'$ south latitude and $115^{\circ} 10.142'$ east longitude; thence generally south westerly along the geodesic to the intersection of $34^{\circ} 22.298'$ south latitude and $115^{\circ} 9.549'$ east longitude; thence

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generally westerly along the geodesic to the intersection of 34° 22.298' south latitude and 115° 8.403' east longitude; thence generally southerly along the geodesic to the intersection of 34° 22.693' south latitude and 115° 8.403' east longitude; thence generally westerly along the geodesic to the intersection of 34° 22.715' south latitude and 115° 8.091' east longitude; thence generally northerly along the geodesic to a point on the land at the intersection of 34° 22.523' south latitude and 115° 8.091' east longitude.

SCHEDULE 5

Gear specifications in Areas 2 and 3 of the Fishery

[clauses 19, 20, 21]

1. Set nets - Area 2

A set net must have -

- (a) a mesh size of at least 51 millimetres and not exceeding 114 millimetres; and
- (b) a depth of 50 meshes or less, where the mesh size of that net is 57 millimetres or greater; or
- (c) a depth of 33 meshes or less, where the mesh size of that net is less than 57 millimetres.

2. Haul nets - Area 2

(1) A haul net must have a mesh size of at least 51 millimetres.

(2) Notwithstanding paragraph (1), a haul net may have -

- (a) a mesh size of at least 28 millimetres and not exceeding 44 millimetres where that net is 55 metres or less in length; or
- (b) a mesh size of at least 44 millimetres and not exceeding 47 millimetres where that net is 110 metres or less in length; or
- (c) a mesh size of at least 47 millimetres and not exceeding 51 millimetres where that net is 500 metres or less in length.

(3) The operator of a haul net must be in continuous contact with the net at all times.

(4) A beam trawl net being used to take prawns may consist of no more than two nets, each of which -

- (a) must be no more than 4 metres wide across the opening frame; and
- (b) must have a mesh size of at least 16 millimetres and not exceeding 25 millimetres.

3. Crab pots - Area 2

A crab pot -

- (a) must have an internal volume of not more than 0.31 cubic metres; or
- (b) in the case of a cylindrical pot, must not have a diameter of more than 1 metre.

4. Nets - Area 3

(1) A set net being used to take whiting or yellow eye mullet -

- (a) must not exceed 800 metres in length; and

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- (b) must have a mesh size of at least 44 millimetres and not exceeding 62 millimetres;
and
 - (c) must not exceed 50 meshes in depth.
- (2) A hauling net being used to take whiting or yellow eye mullet -
- (a) must not exceed 800 metres in length; and
 - (b) must have a mesh size of at least 44 millimetres and not exceeding 62 millimetres;
and
 - (c) must not exceed 100 meshes in depth.
- (3) A set net being used to take bream or any other species of fish -
- (a) must not exceed 800 metres in length; and
 - (b) must have a mesh size of at least 63 millimetres and not exceeding 128 millimetres;
and
 - (c) must not exceed 33 meshes in depth.
- (4) Notwithstanding paragraphs (1), (2), and (3), the maximum total combined length of nets that -
- (a) may be used to fish; or
 - (b) may be carried on board a boat,
- in respect of a fishing unit is -
- (i) where one person is fishing in Area 3, 1000 metres at any one time; and
 - (ii) where more than one person is fishing in Area 3, 1 400 metres at any one time.

SCHEDULE 6

Fees

[clause 8]

The fee payable in respect of the renewal of a licence may be paid in instalments, consisting of -

- (a) the first instalment (25% of the total fee), due for payment on or before 1 July;
- (b) the second instalment (35% of the total fee), due for payment on or before 1 September following the day on which the first instalment is paid;
- (c) the third instalment (40% of the total fee), due for payment on or before 1 January following the day on which the second instalment is paid.

Dated 14 of March 2014

K BASTON, Minister for Fisheries.

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Original Management Plan and Amendment Information:

West Coast Estuarine Managed Fishery Management Plan 2014 was first published in Government Gazette No. 46 on 25.03.14. (p.830-839).

Amendments: West Coast Estuarine Managed Fishery Management Plan Amendment 2014 published in Government Gazette No. 101 on 04.07.14. (p. 2366); *West Coast Estuarine Managed Fishery Management Plan Amendment 2015* published in Government Gazette No. 82 on 02.06.15. (p.1955); *West Coast Estuarine Managed Fishery Management Plan Amendment (No. 2) 2015* published in Government Gazette No. 154 on 16.10.15 (p. 4154).

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